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RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
SUPPORTING AND ENDORSING A.C.R. NO. 68

WHEREAS, Vietnamese-Americans should be honored and remembered for their sacrifices for freedom and human rights and for their contributions to the United States; and

WHEREAS, Milpitas is home to many Vietnamese-Americans; and

WHEREAS, a flag, which consists of three horizontal stripes of red upon a field of gold, represents the Vietnamese-American community, their culture, and their long history that is celebrated and honored; and

WHEREAS, the vast majority of Vietnamese-Americans embrace the yellow flag with three red stripes as a symbol of the Vietnamese-American community; and

WHEREAS, Vietnamese-Americans annually commemorate April 30th as "Black April Remembrance Day" to remind all Vietnamese-Americans to remain vigilant in opposition to tyranny in all forms, to actively support human rights for all people and to celebrate the principles of democracy, justice, and tolerance upon which our nation was founded.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas, as follows:

1. The City of Milpitas recognizes the flag which consists of three horizontal stripes of red upon a field of gold as the flag of the Vietnamese-American community in California and recognizes that the flag may be displayed as part of a flag ceremony at the ceremonial flag poles approved by the City Council at the Higuera Adobe or at the four-pole ceremonial flag site in the plaza at the back of City Hall pursuant to the City Council flag policy and the permit requirements of the City.
2. The City of Milpitas supports and endorses A.C.R. No. 68 currently before the California Legislature as it urges the State to recognize the yellow flag with three red stripes as a symbol of the Vietnamese-American community in California and establishes the manner by which the flag may be ceremoniously displayed on State-owned property.

PASSED AND ADOPTED this _____ day of _____, 2003, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Gail Blalock, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Steven T. Mattas, City Attorney

BILL NUMBER: ACR 68 AMENDED BILL TEXT AMENDED IN ASSEMBLY APRIL 21, 2003 INTRODUCED BY Assembly Members Maddox and Correa (*Coauthor: Assembly Member Diaz*) MARCH 20, 2003 Assembly Concurrent Resolution No. 68--Relative to Vietnamese flags.

LEGISLATIVE COUNSEL'S DIGEST ACR 68, as amended, Maddox. Vietnam: flags: display. Existing state law contains provisions governing the display of the flags of the United States and this state and relating to the design of, and display of certain flags at, the Vietnam Veterans Memorial on the grounds of the State Capitol. Existing federal law prescribes the position and manner in which flags of other nations should be flown in relation to the United States flag. This measure would urge that the State of California formally recognize the flag of the former Republic of Vietnam as the official ~~flag-symbol~~ of the Vietnamese American community in this state, and permit this flag to be displayed on any state-owned property, or at any state-controlled or sponsored Vietnamese American event or any public function organized by the Vietnamese American community in the state.

Fiscal committee: no.

WHEREAS, According to reports from the 2000 United States Census, California is home to 430,964 Vietnamese immigrants, with over 135,000 Vietnamese residing in Orange County; and

WHEREAS, The Vietnamese ~~refugee~~-*American* community has made positive contributions to California, establishing businesses and enriching the culture of California greatly; and

WHEREAS, The flag of the communist Socialist Republic of Vietnam causes pain and anger among ~~the nation's~~ *this state's* Vietnamese community, who view it as a symbol of oppression and persecution; and

WHEREAS, In 1999, a video store in Westminster, California displayed the flag of the communist Socialist Republic of Vietnam and incited protests against it by thousands of Vietnamese refugees who demonstrated daily for almost two months; and

WHEREAS, The flag of the former Republic of Vietnam evokes pride in Vietnamese ~~refugees~~ *Americans* as the flag under which hundreds of thousands of Vietnamese fought valiantly and bravely to defend their country and keep it free since 1948; and

WHEREAS, More than 58,000 Americans lost their lives fighting for freedom in South Vietnam; and

WHEREAS, The flag of the former Republic of Vietnam symbolizes hope, freedom, and peace to Vietnamese Americans and free Vietnamese around the world; and

WHEREAS, The people of the former Republic of Vietnam were valiant in their resistance to the aggression of communist North Vietnam, and refugees from the Republic of Vietnam who

emigrated to the United States of America and settled in this state should be honored and remembered for their sacrifices;

Now, Therefore, be it Resolved by the Assembly of the State of California, the Senate thereof concurring,

That the Legislature of the State of California urges that the State of California formally recognize the flag of the former Republic of Vietnam, displaying three red stripes on a yellow background, as the official *flag-symbol* of the Vietnamese American community in this state, and permit this flag to be displayed on any state-owned property, or at any state-controlled or sponsored Vietnamese American event or any public function organized by the Vietnamese American community in the state, subject to the permit requirements of the event's locality; and

Be it further Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.